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4/30/01
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,
Plaintiff

CIVIL NO. 1:CV-00-0315

v.

KENNETH K. KYLER,
JOHN A. PALAKOVICH,
WILLIAM J. RHOADES,
MARTIN DRAGNOVICH,
OFFICER RUBENDALL, and
OFFICER RAGER,
Defendants

FILED
HARRISBURG, PA

APR 30 2001

MARY E. D'ANDREA, CLERK
Per MA
Deputy Clerk

ORDER

Before the court is an appeal by Plaintiff from an order of the Magistrate Judge ordering Plaintiff to comply with Middle District Local Rule 7.8, which limits briefing to 15 pages in length. Plaintiff alleges said rule is unconstitutional.

Plaintiff does not in any way explain the constitutional impact of such a rule. This court noted in a previous case of Plaintiff's that his handwritten submissions equal 1½ pages of 14-point, double-spaced, typewritten pages. Thus, fifteen of Plaintiff's handwritten pages is equal to 22-plus pages of typewritten pages. Plaintiff is therefore benefitted by being allowed 15 pages of handwritten pages.

Past experience with Plaintiff's submissions show that he rambles, repeats arguments, and is anything but concise. The ruling of the magistrate judge is appropriate.

Accordingly, **IT IS HEREBY ORDERED THAT** the order of the magistrate judge dated April 16, 2001 is **AFFIRMED**. This matter is remanded to Magistrate Judge Smyser for further proceedings.


SYLVIA H. RAMBO
United States District Judge

Dated: April **30**, 2001.

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

April 30, 2001

Re: 1:00-cv-00315 Jae v. Kyler

True and correct copies of the attached were mailed by the clerk to the following:

John Richard Jae
SCI-GREENE
#BQ-3219
175 Progress Drive
Waynesburg, PA 15370

Michael L. Harvey, Esq.
Susan J. Forney, Esq.
Office of Attorney General
Strawberry Square
15th Floor
Harrisburg, PA 17120

cc:

Judge	(X)	Rambo	()	Pro Se Law Clerk
Magistrate Judge	(X)	Smyser	()	INS
U.S. Marshal	()		()	Jury Clerk
Probation	()			
U.S. Attorney	()			
Atty. for Deft.	()			
Defendant	()			
Warden	()			
Bureau of Prisons	()			
Ct Reporter	()			
Ctroom Deputy	()			
Orig-Security	()			
Federal Public Defender	()			
Summons Issued	()	with N/C attached to complt. and served by:		
		U.S. Marshal ()	Pltf's Attorney ()	
Standard Order 93-5	()			
Order to Show Cause	()	with Petition attached & mailed certified mail		
		to: US Atty Gen ()	PA Atty Gen ()	
		DA of County ()	Respondents ()	
Bankruptcy Court	()			
Other _____	()			

MARY E. D'ANDREA, Clerk

4/30/01

